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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 HENRY JAMES,

10 Plaintiff,

11 v.

12 FPI MANAGEMENT, INC., et al.,

13 Defendants.

CASE NO. C18-998RSM

ORDER DENYING MOTION FOR LEAVE
TO FILE/SERVE A SUPPLEMENTAL
COMPLAINT

14 This matter is before the Court on Plaintiff's second Motion for Leave to File/Serve a
15 Supplemental Complaint. Dkt. #34. The Court previously denied Plaintiff leave to file a
16 supplemental complaint due to procedural errors. Dkt. #32. Plaintiff's Motion is once again
17 opposed (Dkt. #35) and fails for the same reasons previously articulated by the Court (Dkt. #32).
18 Plaintiff's Motion is therefore denied.
19

20 Plaintiff's Complaint alleges that the company managing his apartment complex
21 discriminated against him and that various employees have continued to discriminate against
22 him. Dkt. #5. Plaintiff also alleges that certain City of Seattle and/or Seattle Housing Authority
23 employees failed to act on his complaints and did not adequately assist him. *Id.*

24 Plaintiff's current filing—just as his previous motion—alleges that he has continued to
25 face retaliation from employees of his management company since filing his Complaint. Dkt.
26 #34 at 3–6. Plaintiff further alleges that the Seattle Housing Authority and its employees have

1 aided his management company's retaliation and have frustrated Plaintiff's efforts to serve his
2 lawsuit on several Seattle Housing Authority employees. *Id.* at 6–7. Plaintiff seeks to join
3 several individual defendants involved with these negative interactions occurring after he filed
4 his Complaint. *Id.* at 3–7. The only substantive differences between Plaintiff's two motions
5 appears to be the addition of more argument in support of the Court granting him leave to file a
6 supplemental complaint and the addition of allegations related to interactions occurring in early
7 December 2018. *Compare* Dkt. #24 with Dkt. #34.

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9 As with Plaintiff's previous motion, Plaintiff does not attach a copy of the proposed
10 supplemental complaint he hopes to file. The first page of Plaintiff's filing is captioned as a
11 "Motion for Leave to File/Serve a Supplemental Complaint" and properly seeks leave from the
12 Court to file a supplemental complaint. Dkt. #34 at 1. Plaintiff indicates that he attaches "a
13 proposed Supplemental Complaint"—presumably the following eight pages. *Id.* at 2–9. But,
14 these eight pages are not in a form acceptable for filing. *Id.* at 2. The eight pages also confusingly
15 include argument as to why the Court should grant Plaintiff leave to file a supplemental
16 complaint. *Id.* These arguments should be included in Plaintiff's Motion (page 1) so that it is
17 absolutely clear what allegations Plaintiff seeks to add to his Complaint.

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19 To be explicit, if Plaintiff wishes to file a supplemental complaint, the Court directs him
20 to file (1) a Motion for Leave to File a Supplemental Complaint containing all arguments for why
21 the Court should grant him leave to file a supplemental complaint, and (2) a copy of the
22 supplemental complaint he wishes to file. The copy of the supplemental complaint should be
23 captioned as a "Supplemental Complaint" and should include only the additional allegations,
24 legal claims, and relief that Plaintiff wishes to add to the allegations, legal claims, and relief
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1 included in his original Complaint. This may allow Defendants and the Court to consider the
2 merits of the motion.¹

3 Accordingly, having considered the briefing and the relevant record, the Court hereby
4 finds and ORDERS that Plaintiff's Motion for Leave to File/Serve a Supplemental Complaint
5 (Dkt. #24) is DENIED. Nothing in this Order precludes Plaintiff from refileing with (1) a Motion
6 for Leave to File a Supplemental Complaint with (2) a copy of the Supplemental Complaint as it
7 will be filed should the Court grant leave to file it.
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9 The Clerk shall send a copy of this Order via U.S. Mail.

10 DATED this 12 day of March, 2019.

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14 RICARDO S. MARTINEZ
15 CHIEF UNITED STATES DISTRICT JUDGE
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25 ¹ The Court again reiterates its strong preference that Plaintiff instead seek leave to file an
26 amended complaint (and attach a copy of the amended complaint he seeks to file) so that the
amended complaint can wholly replace the Complaint and so that all the allegations, legal claims,
and relief sought in this lawsuit are contained in a single document.